



*Office of the United States Attorney  
District of Arizona*

FOR IMMEDIATE RELEASE  
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## **FIVE CHARGED WITH HOSTAGE TAKING AND BRANDISHING FIREARMS DURING A CRIME OF VIOLENCE**

PHOENIX - A federal grand jury in Phoenix returned a 18-count superseding indictment yesterday against Jesus Corrales-Fernandez, 30; Carlos Alvarez-Espinoza, 22; Evaristo Ortiz-Jimenez, 36; Freddy Ovando-Ocana, 27; and David Alejo-Ortiz, 26, all citizens of Mexico. All five defendants are charged in the first 15 counts with the following criminal offenses: one count of Conspiracy to Commit Hostage Taking; six counts of Hostage Taking; six counts of Use, Carrying and Brandishing of a Firearm During and in Relation to a Crime of Violence (Hostage Taking); one count of Conspiracy to Harbor Illegal Aliens; and one count of Harboring Illegal Aliens. Three counts in the indictment are for Re-entry After Deportation as three of the five defendants have been previously deported from the United States.

Four of the defendants are currently in federal custody and will be arraigned on the charges on January 14, 2009. At arraignment, a trial date will be set before U.S. District Court Judge David A. Campbell. Alejo-Ortiz is in Maricopa County custody pending state charges human smuggling, misconduct involving weapons and kidnaping-related charges. His arraignment on the federal charges will occur after the State of Arizona completes its case against him.

The superseding indictment alleges that in May 2008, the above named defendants held 21 illegal aliens hostage in a house in Phoenix in order to compel others to pay money to secure the hostages' release. It is also alleged that the defendants possessed, used, carried and brandished a firearm and that the defendants conspired to harbor, and did harbor, the aliens. In addition, the indictment alleges that some of the hostage aliens were beaten and otherwise assaulted.

A conviction for Hostage Taking or Conspiracy to Commit Hostage Taking carries a maximum penalty of life in prison. A conviction for Using and Carrying a Firearm During and in Relation to a Crime of Violence in which the gun was brandished carries a mandatory minimum penalty of seven years in prison for the first count and 25 years in prison for each subsequent count, with a maximum penalty of life in prison. A conviction for Harboring Illegal Aliens carries a maximum penalty of 5 years in prison and Conspiracy to Harbor carries a maximum penalty of 10 years in prison. Furthermore, any sentence for a conviction for Using, Carrying or Brandishing a Firearm During and in Relation to a Crime of Violence must run consecutively to any other sentence of imprisonment, including any other sentence imposed in the same case. Each of the counts also carries a potential maximum fine of \$250,000 which can be imposed in the alternative or in addition to the potential prison sentence. In determining an actual sentence, Judge Campbell will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

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A superseding indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted U.S. Immigration and Customs Enforcement and the Phoenix Police Department. The prosecution is being handled by Lisa Jennis Settel, Assistant U.S. Attorney, District of Arizona, Phoenix.

CASE NUMBER: CR-08-0611-PHX  
RELEASE NUMBER: 2009-007(Hostage Taking)

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